

MAY 19 2005

Docket No.: 22116-00005-US3  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Nicolaas M.J. Vermeulin et al.

Application No.: 09/396,523

Confirmation No.: 7553

Filed: September 15, 1999

Art Unit: 1621

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For: NOVEL POLYAMINE ANALOGUES AS  
THERAPEUTIC AND DIAGNOSTIC AGENTS

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Examiner: Peter G. O'Sullivan

**TERMINAL DISCLAIMER**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

MediQuest Therapeutics, Inc. is the owner of 100% interest in the above-captioned application, (as evidenced by the Assignment submitted for recordal in the U.S. Patent and Trademark Office on May 13, 2005, a copy of which is attached hereto).

MediQuest hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term of any patent that issues from U.S. patent application Serial No. 09/713,572, filed November 14, 2000, including any patent term extensions, restorations or adjustments for said patent available under all applicable statutes including 35 U.S.C. §§154 through 156 and 173 as shortened by any terminal disclaimer, of U.S. Serial No. 09/713,572. The owner hereby agrees that any patent that is granted on the above-captioned application shall be enforceable only for and during such period that the legal title to it and to any patent granted on U.S. Patent Application Serial No. 09/713,572 shall be commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the

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PAGE 4/18 \* RCVD AT 5/19/2005 12:51:22 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXRF-1/1 \* DNIS:8729306 \* CSID:202 293 6229 \* DURATION (mm-ss):04-16

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full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on U.S. Patent Application Serial No. 09/713,512 as shortened by any terminal disclaimer, filed prior to the patent grant, in the event that any patent granted on U.S. Patent Application Serial No. 09/713,512 expires for failure to pay a maintenance fee, is held unenforceable, and/or invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or its term is in any manner terminate prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Please charge our Deposit Account No. 22-0185 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.20(d). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 22116-00005-US3.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 5-18-05

Respectfully submitted,

By 

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Registration No.: 24,852

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PTO/SB/17 (12-04v2)  
Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4814).

## FEE TRANSMITTAL

### For FY 2005

<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	<b>Complete if Known</b> Application Number <b>09/396,523-Conf. #7553</b> Filing Date <b>September 15, 1999</b> First Named Inventor <b>Nicolaas M.J. Vermeulin</b> Examiner Name <b>Peter G. O'Sullivan</b> Art Unit <b>7553</b> Attorney Docket No. <b>22118-00005-US3</b>
<b>TOTAL AMOUNT OF PAYMENT</b> <b>(\$)</b> <b>65.00</b>	

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account    Deposit Account Number: **22-0185**    Deposit Account Name: **Connolly Bove Lodge & Hutz LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17    ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 = _____	x _____	_____	_____	_____	_____	_____
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 = _____	x _____	_____	_____			

**3. APPLICATION SIZE FEE**

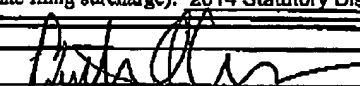
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/50	_____ (round up to a whole number) x _____	_____	_____

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2814 Statutory Disclaimer	65.00

**SUBMITTED BY**

Signature 	Registration No. (Attorney/Agent) <b>24,852</b>	Telephone <b>(202) 331-7111</b>
Name (Print/Type) <b>Burton A. Amernick</b>	Date <b>5-18-05</b>	